

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
CONVERSE INC.,)	CASE NO. 04-CV-12591 - PBS
)	
Plaintiff,)	
)	
vs.)	
)	
ALON INTERNATIONAL S.A.,)	
)	
Defendant.)	
_____)	

**NOTICE OF WITHDRAWAL OF CONVERSE'S EMERGENCY MOTION
TO SET A BRIEFING SCHEDULE WITH RESPECT TO ITS MOTION TO VACATE
ARBITRATION AWARD OR, ALTERNATIVELY, TO PERMIT LATER
FILING OF MEMORANDUM IN SUPPORT OF MOTION TO VACATE**

Plaintiff Converse, Inc. hereby withdraws its Emergency Motion to Set a Briefing Schedule, docket entry #56, in its entirety. During the parties' conference yesterday, counsel for Defendant Alon International S.A. agreed that the provision of the Massachusetts Arbitration Act (the "MAA") setting a thirty-day time limit for the filing of a motion to vacate an arbitral award is not applicable in this matter. This agreement alleviates Converse's concern that June 9, 2006 may be the deadline to file a Motion to Vacate, thus eliminating the need for the Court to provide the guidance sought in Converse's Emergency Motion.

Alon represented that it would not seek to rely in this proceeding on the provision of the MAA which provides a thirty-day time period for moving to vacate arbitration awards. Alon, however, would not agree that in this matter the timing of a motion to vacate an arbitration award is governed by the provisions of the Federal Arbitration Act ("FAA"). Nor

would Alon identify any other statute or rule (foreign or domestic) that prescribes a deadline for filing vacatur motions that is shorter than that provided for by the FAA and upon which it may rely for purpose of contesting an otherwise timely filing under the FAA. Furthermore, Alon would not agree to a briefing schedule designed to avoid any future disputes arising from the timing for filing a motion to vacate.

Converse believes that the FAA governs this issue. Accordingly, Converse will file its Motion to Vacate within the time period prescribed by the Federal Arbitration Act, pursuant to a non-emergency motion to set a briefing schedule that Converse anticipates promptly filing with this Court.

Converse thanks the Court for its consideration in this matter.

Respectfully submitted,

CONVERSE INC.
By its Attorneys,

Dated: June 8, 2006

/s/ Michael C. Gilleran
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